

19 August 1969

MEMORANDUM FOR THE RECORD

Morning Meeting of 19 August 1969

Bross noted that he will be having lunch with Robert Froehlke today and pointed to the advisability of coordinating his input to PFIAB with the Director. The Director concurred, and the three will be having lunch today.

DD/I noted completion and distribution of an OCI memorandum on the situation in Czechoslovakia one year after the Soviet invasion.

DD/I called attention to the article on MIRV by Chalmers Roberts in today's Washington Post.

Lehman for Godfrey noted that 19 August had passed without much of a flurry, as anticipated in earlier reporting on Vietnam.

Carver briefed on his attendance at a meeting of the Sullivan Committee and noted a DOD/ISA requirement to assess the nature of the political opposition to the Thieu government in South Vietnam.

Carver pointed to the item in today's New York Times by James Sterba and to the item by Robert Kaiser in today's Washington Post. He commented that press attacks alleging CIA involvement in the Green Beret affair seem to be on the wane and that coverage is becoming closer to the facts.

Maury noted receipt of information that Senators Hollings and Goldwater and Congressman Rivers feel the Agency has been subjected to unnecessary abuse in the Green Beret matter. He added that he sent the Director a copy of Congressman Rodino's exchange with the Army and noted that Congressman Rodino and Mr. Zietman of his staff are departing for Vietnam today. DDCI pointed to Under Secretary of the Army Beal's response to Question No. 13. Goodwin commented that Beal's response was carried in the 19 August New York Daily News. The Director asked Goodwin to provide a copy of this coverage. Houston noted that [] of OGC will be departing for Vietnam this afternoon.

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Bross noted he failed to mention yesterday the fact that, in his and [] conversations with Gardiner Tucker, the latter related that he had reviewed our material on the verification problem and noted that many of the troublesome points to the DDR&E have been taken care of.

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The Director noted that he had an opportunity to brief U. Alexis Johnson yesterday on the Green Beret matter. He also reported that he spoke with Secretary Laird.

The Director suggested that Executive Committee members brief their staffs on our noninvolvement in the Green Beret/Chuyen affair.

The Director noted that he, the DDCI, and the Executive Director are to be briefed on ADP. After some discussion the Director asked that the briefing be scheduled for 9:30 a.m. tomorrow.

Goodwin noted that he will be having lunch today with Hugh Sidey, and the Director asked Goodwin to consult him before lunch.

Lehman noted Czech Party leader Husak's nation-wide speech attacking the Dubcek regime.

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L. K. White

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Army Denies CIA Link

Washington, Aug. 18 (News Bureau) — "Experience indicates" that the eight Army offices held in connection with the Green Beret murder case were not acting under orders from the CIA or any other non-Military agency, Army Undersecretary Thaddeus R. Beal said today.

Responding to a series of Rodino (D-N.J.) about alleged CIA involvement and other

aspects of the case, Beal said that Army personnel are occasionally detailed for duty with nonmilitary agencies. But, Beal said, although no information was received from field commanders in Vietnam about this particular case, "Army staff experience indicates that the suspect involved in this case were not subject to orders from outside the military chain of command."

Administration Split on Proposal for MIRV Moratorium

By Chalmers M. Roberts
Washington Post Staff Writer

The Nixon administration is badly split on the crucial issue of whether to propose to the Soviet Union a joint moratorium on multiple warhead (MIRV) testing in the forthcoming strategic arms limitation talks.

This has now become evident from the testimony, released last week, of two key Pentagon officials and from hitherto unreported letters to Sen. Edward Brooke (R-Mass.) by the Under Secretary of State, the head of the Arms Control and Disarmament Agency and White House foreign policy adviser Henry A. Kissinger.

Central to the difference of opinion, as yet unresolved by President Nixon despite several National Security Council meetings, is the question of whether the Russians could carry out clandestine MIRV tests which would go undetected by the United States.

In this respect the current argument is reminiscent of the bitter debates during the Eisenhower and Kennedy years which preceded agreement on the 1963 treaty to ban nuclear tests in the atmosphere.

Ironically, it was exactly one year ago today that Soviet Ambassador Anatoly Dobrynin told the then Secretary of State, Dean Rusk, that Premier Kossygin had agreed to a summit meeting with then President Johnson to open the strategic arms limitation (SALT) talks. Two or three days earlier Moscow had proposed beginning the talks on Sept. 30, 1968, and the summit was to take place in Lenin-grad, the second largest Soviet city.

The Soviet invasion of Czechoslovakia the day after Dobrynin's message put the SALT talks on the shelf. As of today the Nixon administration is still awaiting a Soviet suggestion on when they can begin.

The intervening year has been critical. In the view of some, the onrushing arms race—above all the rival development of MIRV techniques—means a point of no return has been passed and the arms race already has reached a new stage both in terrifying weaponry and multi-billion-dollar costs.

Time Running Out

But others, especially those in ACDA and State who desperately want to halt MIRV, deny that the point of no return has been reached. They concede that time is fast running out, however, with the next few months likely to be crucial. That is why the current argument within the Nixon administration over how to approach the MIRV issue once the SALT talks do begin is viewed on all sides as so important.

To understand the current situation it is necessary to go back to a year ago.

Dobrynin's answer was delivered to Rusk during the course of a Polomac River cruise the secretary had organized for a batch of ambassadors. When the boat docked, Rusk told Under Secretary Eugene Rostow to say the good-bys and he rushed off to a phone to inform the President.

Many have speculated that the Kremlin was involved in some sort of double-dealing with Washington, agreeing one day to a summit and the next day invading Czechoslovakia. Actually, however, there is some evidence to the contrary.

Last-Minute Decision

It is now known that a couple days earlier, when the Soviets proposed Sept. 30 as the opening date for the SALT talks, they had suggested making the proposal public on what turned out to be a day or two after the invasion. This fact lends support to the theory that while the Kremlin had its troops poised for the invasion, the actual decision was a last-minute affair.

At any rate, SALT was derailed. And in September, 1968, John S. Foster, the Pentagon's research chief, said in his testimony, the two-year, long MIRV test series began. The Johnson administration then had not taken a hard position one way or the other on whether to seek at the outset of the talks a MIRV freeze. ACDA favored the idea; the Joint Chiefs of Staff opposed it at the time.

Foster testified before a House Foreign Affairs subcommittee that the MIRV tests are now "one-third to halfway through" and will be completed by either next May or June "with first deployment following closely thereafter." He also said Soviet tests of their SS-9, a big missile with a triplet warhead, "probably" are MIRV tests, too, and that deployment probably will begin "sometime in the latter half of next year."

Hearings in House

Since President Nixon's March 14 announcement that he wanted a limited anti-ballistic missile (ABM) defense, congressional, especially senatorial, efforts to limit the arms race have centered on delaying the ABM. In the House, however, Rep. Clement J. Zab-

locki conducted MIRV hearings during July and August and in the Senate Brooke on July 30 fired off letters to President Nixon and other top officials.

Brooke wrote that "it is very important for those developing the administration position in the SALT talks not to fall captive to a sense of inevitability regarding the advance of MIRV technology" by either superpower.

Brooke rounded up 41 other senators to back a resolution now pending in the Foreign Relations Committee, which would ask the administration to refrain from MIRV tests as long as the Soviets also do so. A similar House resolution has more than 100 backers.

Foster's Position

Against that idea Foster made these major arguments: that any short-term moratorium on tests doubtless would be stretched out; that there is "still a question whether de-

ceptive MIRV testing by the Soviets could in fact be detected"; and that "an effective limitation on Soviet ABMs should be a precondition to a ban on further MIRV testing."

This last argument, in the

view of its opponents, would preclude any agreed joint moratorium while efforts were being made to reach a treaty on a permanent ban. Meanwhile, on Foster's announced schedule, both sides probably would complete tests and move into deployment, thus making certain that the arms race reached a new level.

Brooke's letter to Mr. Nixon produced a presidential reply, as reported last week, that the United States would be prepared to consider the possibility of a moratorium or a ban on MIRV tests in our discussions with the Soviet Union.

This left unresolved the question of whether to try for a quick moratorium on tests.

Under Secretary of State Elliot Richardson, answering in Secretary William P. Rogers' absence, on Aug. 1 wrote: "I wholeheartedly agree that the control of MIRVs is one of the fundamental issues in the SALT talks and the administration is working very hard on how to handle this problem. I don't think we have fallen captive in any sense with regard to the inevitability of the introduction of

MIRVs into the strategic arms balance.

ACDA's Director Gerard Smith on Aug. 4 wrote Brooke: "I assure you that I feel no sense of inevitability regarding the advance of MIRV technology. I am personally hopeful that a MIRV test ban will be a priority target in the SALT negotiations. However, as you know, this is a matter still under review by the President."

Neither of these replies made any mention of the objections raised by Foster,

objections which were backed at the House hearings by Warren Nutter, assistant defense secretary for international security affairs. Other officials say that both Richardson and Smith are prepared to risk what Foster considers unrealistic—that is, the possibility that the Soviets would be able to cheat on a ban.

Differing Views

At the Aug. 5 House hearing Rep. Donald Fraser (D-Minn.) told Foster that "we have had

generally differing and more negative views from the Defense Department, including

the statement you made today, than we have heard from any other source."

The MIRV issue has many more complications than has been indicated here, both sides made clear. Further National Security Council meetings are in prospect before Mr. Nixon settles the American position.

Meanwhile, a State Department spokesman said once again yesterday that there has been no Soviet reply on when to begin the talks. It now appears there will be no response until at least sometime next month.

'Berets' Case Victim Seen Minor Figure

By Robert G. Kaiser
Washington Post Foreign Service

SAIGON, Aug. 19—The apparent victim in the Green Beret murder case was a 31-year-old native of North Vietnam known to his family as an interpreter for U.S. Special Forces troops.

Unless descriptions offered by the victim's wife and brother today are wildly misleading, the dead man was almost certainly not a major U.S. intelligence agent or an important Vietnamese official. Instead, the picture that emerges is of a relatively low-level operator.

The victim, apparently, was Thai Khac Chuyen. A garbled version of this name was released Friday by George Gregory, an attorney for one of the eight Green Berets accused in the case. Gregory said he thought the name was "a cover."

Chuyen's brother read of Gregory's press conference in a Vietnamese newspaper and volunteered his story to a local journalist today. It fits almost perfectly with facts of the case that have already been confirmed.

Meanwhile, the U.S. Army announced today that the eight suspects in the case had been moved from maximum security solitary confinement into air-conditioned quarters loosely guarded by military police. The move followed protests from at least three congressmen over the Army's treatment of the suspects, who have not yet been formally charged.

Relatives' Story

This is the story told by Thai Khac Chuong, brother of the apparent victim, and the victim's wife, Phan Kim Lien:

On the afternoon of last June 11, Chuyen arrived unexpectedly in Saigon from Mochoa in Kientuong Province, just a few miles below the Cambodian border, where he was stationed with U.S. Special Forces troops. Chuyen told his wife that he had

ordered to report to Camp Goodman, a Special Forces camp in downtown Saigon, for questioning about his refusal to perform an unspecified secret mission for the Green Berets.

On the morning of June 12, Chuyen left his home on the outskirts of Saigon and went to Camp Goodman. That afternoon he was brought back to the house by an American Special Forces officer and a South Vietnamese officer who searched his house.

That night Chuyen was allowed to go home alone, his wife reported. He appeared to be in an agitated state, she said. He told her he had been questioned while sitting in what she called an "electric chair," probably a polygraph. Sources close to the accused Berets have said the victim was questioned with a polygraph and with sodium pentathol, often called the "truth serum."

On the morning of June 13, Chuyen went off again to Camp Goodman. He told his wife, she said today, that if he did not return, she should go to the camp and ask for information about his whereabouts.

Chuyen has not been seen or heard from since. His wife said she went to Camp Goodman to ask about him, but was told by Americans there that they knew nothing about her husband.

Killed June 20

The army has announced that the victim in the Green Beret case was murdered on June 20, one week after Chuyen disappeared. Other reliable sources have said that the victim was an intelligence operative who went into Cambodia for the Green Berets. This conforms with Chuyen's brother's report that he was based in Mochoa, just outside a section of Cambodia that is heavily used by Vietcong troops.

Chuyen went to work for the Green Berets in December, 1965, his family said. He

served first in the Ashau Valley area near the Laotian border in northern South Vietnam. Later he worked in Tay Ninh Province, which adjoins Cambodia, then in Cantho in the Mekong Delta, and finally in Mochoa.

In his last assignment, Chuyen had told his family, he translated secret documents captured from the Communists. His wife said today that Chuyen had no interest in politics, and that he always dreamed of living a peaceful life with his family. He was born in Thanhhoa Province in what is now North Vietnam.

Chuyen's wife said that if her husband were dead, she was entitled to at least three months of his salary. He made 15,000 piasters a month, she said—about \$125.

Information gathered in small pieces from American sources here in recent days also suggests that the Green Beret case involves misjudgment and confusion rather than any startling intrigue. Some of these sources have an interest in conveying such an impression, but their story seems to merit serious consideration nevertheless.

The story goes something like this: the Green Berets decided that a man in their employ—presumably Chuyen—was working for the other side. As reported earlier, this decision was based on photographs of enemy operatives taken in Cambodia. The Berets thought they recognized their employee in these photos.

Lie Detector Test

The Berets then began to question the man, using a Polygraph, sodium pentathol and perhaps other techniques. According to a source close to the accused men, the polygraph test indicated that the suspect was working for the Communists.

With this information, the Berets apparently approached the U.S. Central Intelligence Agency, which reportedly directs some Green Beret operations and plays a role in others. The soldiers asked the CIA what to do with the man.

The agency's reply is a matter of sharp debate, and is likely to be a crucial issue in the pre-trial investigation of the eight men and any subsequent court martial, if charges are pressed. The Green Berets, or at least some of them,

contend that the CIA said they should "terminate with extreme prejudice" their relations with the agent, a phrase they interpreted as meaning they should kill him.

According to a source close to the defense, the Green Berets asked the CIA to do its own dirty work, but this request was refused—or perhaps the agency denied wanting to do away with the man. However, this source said, the soldiers decided the man had to be killed because the information he possessed endangered the lives of too many men.

Lawyers representing the Green Berets contend there is no case against their clients. A second civilian attorney, Henry B. Rothblatt of New York, entered the case today. Rothblatt, who has written two books on criminal law with F. Lee Bailey, said the Army's case was based on "the flimsiest evidence" and "appears to be a situation where somebody goofed." He is representing three of the defendants.

However, a source who should know the facts has revealed that several of the accused Green Berets have made incriminating statements which are a significant part of the prosecution's case.

Question Remains

This version of events leaves unanswered one key question: Why did the Army suddenly relieve Col. Robert Rheault of his command of the Green Berets in Vietnam and throw him and seven others into prison even before an investigation into the incident was completed, and then issue a press release announcing the arrests?

Some sources say this apparently odd behavior can be explained by the top command's loss of patience with the methods and attitudes of the Special Forces. It is said that regular Army commanders have long harbored distaste for the Green Berets and their tactics, and that this episode was the proverbial last straw.

Another version is that the CIA was fed up with the Green Berets taking matters into their own hands, and pressed the Pentagon to make an example of this case. The Pentagon agreed, according to this version, in part because of its distaste for the Green Berets.

There is still no good explanation for the Army's arrest of the suspects, or for the decision to announce they were suspected.

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of murder before formal charges were brought.

Today's announcement that the men have been removed from solitary confinement suggests that the earlier arbitrary treatment may have been a mistake—a mistake the Army has acknowledged by transferring the prisoners to comfortable surroundings.

As for when the case may come to a head, the Army is not saying. Today's official statement released on the transfer of the prisoners said the "duration of the preliminary investigation . . . cannot be predicted."